

Summary of Senate Bill 861 (2014)  
Primary Changes for the  
Office of Spill Prevention &  
Response

Implementation Workshop for  
Non-Marine Areas of the State  
July 2014  
DRAFT

# Senate Bill 861

- Chaptered June 20, 2014; “shall take effect immediately”. [Sec 195 of bill]
- Modeled from OSPR’s successful marine oil spill program.
  - Contingency Plans
  - Financial Responsibility
  - Drills & Exercises
  - Rating of Cleanup Contractors
  - Response Funding

# SB 861 Applicability/Scope

- Applies where there is a threat of an oil spill to state surface waters.
- Applies to:
  - Pipelines
  - Oil Wells / Production Facilities
  - Railroads

# Regulations to Implement SB 861

- OSPR will adopt and implement emergency regulations governing oil spill contingency plans, and financial responsibility.
- Emergency regulations are exempt from OAL review for 1 year.
- Current timeline for adoption is Fall 2014

# Contingency Plans

- **Required content:**
  - Written, signed
  - Spill Reporting procedures
  - List of Contacts to call
  - Qualified Individual
  - Agent for service of process
  - Use of recognized incident command system
  - Drills & Spill response training

# Contingency Plans

- **Standards OSPR must set for Plans**
  - Must ensure best achievable protection
  - Based on Reasonable Worst Case Spill Volume
  - Standards for response, containment, cleanup
  - Equipment types, location, & time to deliver
  - Contractual arrangements for equipment & services
  - Use of Rated OSRO by Jan 2016
  - Strategies to protect environmentally sensitive areas

# Financial Responsibility

- Demonstrate financial resources to pay for spill response & damages.
- Based on reasonable worst case spill volume.
- Methods to meet requirements:
  - Insurance
  - Surety Bond
  - Letter of Credit
  - Guaranty
  - Self-insurance

# Drills

- **Announced and unannounced drills** are required to test response and cleanup operations, equipment, contingency plans, and procedures
- **All elements** of the plan must be exercised **at least once every three years**



# Funding

- \$0.065 cents per bbl of crude oil and petroleum products received at Refinery or Marine Terminal.
- Fee and collection operative 90 days after effective date of the bill. (October)
- Oil Spill Response Trust **Fund** available statewide

# Oiled Wildlife Care Network

- Funded by the Administrative fee, up to \$2.5M annually.
- Contingency Plan must identify use of OWCN, or detail acceptable alternative

# Change to Spill Reporting

- Spill Reporting for state waters and updates
- Office of Emergency Services phone number must be posted at Rail Road dispatch, pipeline operator control center, and marine terminal.

# Questions?

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